1. Applicant thanks the Examiner for the Examiner's comments which have greatly assisted Applicant in responding.

5   2.   **35 U.S.C. §112.** The Examiner rejected Claims 1, 2, 5, 8, 9, and 12 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner stated that Claims 1, 2, 5, 8, 9, and 12 each use the term "effective" which is a relative term.

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Applicant has amended paragraphs [0015] and [1106] on page 6 to clarify the invention with respect to "effective."

Further, Applicant has amended independent Claims 1 and 8 to further clarify the 15   claimed invention with respect to phrase "effective rules."

Applicant is of the opinion that such amendment to the Specification and Claims 1 and 8 render Claims 1, 2, 5, 8, 9, and 12 as overcoming the rejection under 35 U.S.C. §112, second paragraph. Therefore, Applicant respectfully requests that the Examiner 20   withdraw such rejection.

3.   **35 U.S.C. §102(e).** The Examiner rejected Claims 1-14 under 35 U.S.C. §102(e) as being anticipated by Fehskens *et al* (Fehskens) U.S. Patent No. 6,438,591.

Applicant noted that the Examiner relied almost exclusively on Section H. Alarms, as the Examiner cited column 41 for all limitations of the invention, except for citing column 7 for the limitation the rulebase comprises one or more rules.

5   According to Section H of Fehskens (emphasis added):

(col. 40, lines 61-66)

As described above in connection with FIG. 1B, one functional module 11 comprises **an alarms functional module 11, which can establish alarm conditions, in**
10   **response to requests from a presentation module 10,** and, using the various conditions of the entities of the complex system, as, for example, recorded in the user interface information file 29, **detect the occurrence of an alarm condition.**

(col. 41, lines 7-10)

15   As indicated above, **the alarms functional module 11 performs two general types of operations,** namely, **maintenance** of alarm conditions **and detection of** alarm conditions.

(col. 41, lines 11-25)

20   The **maintenance** of alarm conditions operation of the alarm functional module **11 is performed by the rule maintenance module 202,** which maintains, in an alarm rule base 203, rules which identify each of the alarm conditions. Each rule represents the set of conditions which must be evaluated to determine the existence of an alarm condition. **Specifically, the rule maintenance module 202 generates,**

In response to requests from a presentation module 10, rules, as described below in connection with FIG. 10B, which are stored in the alarm rule base 203. In addition, the rule maintenance module 202, in response to corresponding requests from a presentation module 10, may modify the rules in the alarm rule

5   base 203, which thereby results in modification of the conditions under which an alarm condition, as represented by the rule, will exist.

(col. 41, lines 54-59)

The rule includes an entity and attribute portion 212 and a time value portion

10   216. The rel-op value portion 213 relates values of one attribute to one value portion 214. The time value portion 216 establishes a time function, and may indicate the times or time intervals at which the condition portion 210 is to be used by the alarm detector module 201.

15   (col. 41, lines 65-67 through col. 42, lines 1-6)

For example, if the control arrangement is being used to control and monitor distributed digital data processing systems, which may have diverse configurations of nodes communicating over a network, the alarm conditions can be established by an operator based on the particular configuration. In addition, alarm

20   conditions can be added by addition of rules to the alarm rule base 203, if a new alarm condition is discovered during operation of the complex system.

In stark contrast, the claimed invention provides for removing overhead tradtionally associated with managing rules within a rulebase which become effective at different

points in time. Specifically, the invention provides for rules to be stored within a single rulebase with rules that become effective at different points in time. That is, the claimed invention provides a simplified **version control of rules**. Further, the invention provides for **outdated rules** that are no longer effective **to co-exist in the same**

5 **rulebase as the current versions of the same rules**. (See page 9, [0022]).

Nowhere does Fehskens teach or contemplate such co-existence of different versions of the same rules.

10 Further, the claimed invention provides the rule server processing a transaction request with a set of effective rules, **wherein if such set of effective rules changes before a transaction is complete, then the most recent set of effective rules is used by the rule server**. (See bottom page 8 to top page 8, [0021].)

15 Nowhere does Fehskens teach or contemplate wherein if such set of effective rules changes before a transaction is complete, then the most recent set of effective rules is used by the rule server.

Applicant has amended Independent Claims 1 and 8 to further distinguish the claimed

20 invention from the prior art of record in view of the discussion hereinabove.

Accordingly, Applicant is of the opinion that Claims 1 and 8, and hence the respective dependent claims, overcome the rejection under 35 U.S.C. §102(e) and are in allowable

condition. Therefore, Applicant respectfully requests that the Examiner withdraw such rejection.

4.   It should be appreciated that Applicant has elected to amend Claims 1 and 8

5   solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendment of claims, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in

10   time and merely seeks to pursue protection for the subject matter presented in this submission.

CONCLUSION

Based on the foregoing, Applicant considers the claimed invention to be distinguished
5 from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal
of the rejections raised in the above referenced Office Action, such that a Notice of
Allowance is forwarded to Applicant, and the present application is therefore allowed to
issue as a United States patent.

10   Respectfully submitted,

                                      Michael A. Glenn
                                      Reg. No. 30,176

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Customer No. 22862